

SARAH A. ERB.

JUNE 15, 1898.—Ordered to be printed.

Mr. CANNON, from the Committee on Pensions, submitted the following

REPORT.

[To accompany S. 4765.]

The Committee on Pensions, to whom was referred the bill (S. 4765) granting a pension to Sarah A. Erb, have examined the same, and report:

The bill proposes to pension the petitioner at the rate of \$20 per month, and an examination of the records of the case discloses the following facts: The only claim filed in the Pension Bureau in behalf of this widow is for pension under the provisions of the general law, and this claim has not been established, the testimony submitted as to the soldier's death having been a result of his army service not being regarded by the said Bureau as sufficient to warrant the admission of the claim. The service of the soldier covered a period from September 23, 1861, to February 27, 1865, and the records of the War Department show him to have received a wound of arm in action at Chapins Heights, Kentucky, in October, 1862, and to have been captured by the enemy at Chickamauga, Ga., September 20, 1863, and to have been a prisoner of war to December 13, 1864, having been confined at Richmond, Danville, Andersonville, and Florence. Two of his comrades and fellow-prisoners testify as to the contraction in confinement of dysentery and scurvy, and it is alleged by the petitioner that the cause of her husband's death was due to these disabilities. The public record of death shows apoplexy to have been the immediate cause of the soldier's death, but the evidence of Dr. M. J. Gahan, who treated the soldier in 1892, is in effect that he then found a diseased state of the blood, chronic rheumatism, chronic diarrhea, and valvular lesion of the heart, and that it was his opinion that the said disabilities had their origin during the imprisonment of the soldier in the service of the United States. The doctor in attendance at time of death has testified as to apoplexy having been the immediate cause of death, and has added that the cause of same is unknown, and while this may justify the Pension Bureau in declining to accept the same as a result of any disability contracted in the service, yet in view of the pathology of the fatal disease, and that there is no cause for it so probable as that the scorbutic diathesis was due to prison life, the committee think that it is but reasonable to conclude that the theory of the petitioner as to the cause of her husband's death should prevail; and conceding this and considering the long and faithful service of the soldier, and that this widow was his devoted wife from December 22, 1874, the case is believed to be one properly within the purview of Congressional relief, and therefore the passage of this bill is recommended.

